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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,849	01/09/2001	James E. Wright	2003260-0001	8156

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EXAMINER
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ALAM, SHAHID AL

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/757,849

Applicant(s)

WRIGHT, JAMES E.

Examiner

Shahid Al Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 and 19 - 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-17, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. In view of the Appeal Brief filed on 20 February 2006, PROSECUTION IS HEREBY REOPENED. The rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. After an Appeal Conference, Conferees decided to withdraw the Finality of the last Office action and therefore, the finality of that action is withdrawn.

3. Claims 1 – 17 and 19 – 20 are pending in this Office action.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 – 17 and 19 – 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 1 recites the limitations "a set of targets of links" in line 5, "the link targets" in line 6, and "the set of link targets" in line 9.

Claim 2 recites the limitations "a set of targets of links" in line 5, "the link targets" in line 6, and "the set of link targets" in line 9.

Regarding claims 1 and 2, the terms "a set of targets of links", "the link targets" and "the set of link targets" renders the claim indefinite because it is unclear as to the meaning and relationships with each other of these above terms.

The limitation "the set of targets of links" equates websites and targets equates object. The limitation "the set of link targets" equates hyperlinks and link equates object. Furthermore, it is unclear whether targets of links or websites are inside the search group or link targets or hyperlink are inside the search group. Therefore, it is concluded that "targets of links" and "link target" are not same.

Regarding claim 16, the term "may be" renders the claim indefinite because it is not clear whether the steps followed by the term "may be" will occur. In this case, whether annotations will display.

See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,812,134 issued to Todd Pooser et al. ("Pooser").

With respect to claims 1, 16 – 17 and 19 – 20, Pooser teaches a method of searching a collection of linked objects and displaying the results (column 5, lines 60 – 65 and column 9, lines 11 – 29), comprising:

acquiring a search group of heterogeneously typed objects (column 10, lines 38 – 39), wherein at least one of the objects comprises a link to another object (column 10, lines 38 – 42);

determining for at least a portion of the object in the search group a set of targets of links from the objects (column 10, 38 – 42), including determining whether the link targets are inside the search group (column 14, lines 15 – 18); and

displaying a representation of at least one searched object, the representation having at least one display attribute determined by the set of link targets (column 9, lines 23 – 29).

With respect to claim 16, Pooser teaches a method of searching a collection of objects and displaying the results (column 5, lines 60 – 65), comprising:

acquiring a first search group of objects (column 10, lines 38 – 39);

displaying a representation of at least a portion of the first search group of objects (column 10, lines 38 – 42); and

annotating one or more members of the first search group of objects (column 10, lines 39 – 40), wherein annotations may be selectively displayed with the representation of the annotated objects (column 5, lines 60 – 65).

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As to claim 17, acquiring a second search group of objects; and displaying a representation of at least a portion of the second search group of objects, wherein displaying the representation of annotated objects that are members of both the first search group and the second search group includes selectively displaying annotations of the objects (Figure 4, column 9, lines 2 – 44).

As to claim 19, the objects include links to other objects, and wherein at least a portion of the links are displayed as connectors between representations of the objects (column 10, lines 38 – 42).

As to claim 20, annotating one or more links (column 9, lines 1 – 10).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pooser and in view of U.S. Patent Number 5,983,267 issued to Leon Shklar ("Shklar").

With respect to claim 2, Pooser teaches a method of searching a collection of linked objects and displaying the results (column 5, lines 60 – 65 and column 9, lines 11 – 29), comprising:

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acquiring a search group of heterogeneously typed objects (column 10, lines 38 – 39), wherein at least one of the objects comprises a link to another object (column 10, lines 38 – 42);

determining for at least a portion of the object in the search group a set of targets of links from the objects (column 10, 38 – 42), including determining whether the link targets are inside the search group (column 14, lines 15 – 18); and

displaying a representation of at least one searched object, the representation having at least one display attribute determined by the set of link targets (column 9, lines 23 – 29).

Pooser does not explicitly teach displayed representations are arranged into a plurality of display layers, and wherein the display layers can be independently hidden or displayed as claimed.

Shklar discloses displayed representations are arranged into a plurality of display layers, and wherein the display layers can be independently hidden or displayed as claimed (The individual item metadata units are then grouped, . . . , display the stored data news items in any desired format. The user has requested display of the data in a hierarchical format, . . . , see Figure 2, column 4, lines 1 – 5 and 57 – 61).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Shklar with the teachings of Pooser, because combination would provide a system and method that analyzes and pre-indexes stored data, without altering the data, to accomplish real-time generation of an

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enhanced format presentation of the stored data for display (column 2, lines 5 – 8; Shklar).

As to claim 3, the display attribute is selected from the group consisting of color, shape, size, position, highlighting, graphical flags, and labeling text (see Figure 4 and corresponding texts; Pooser).

As to claim 4, representations of a plurality of objects are displayed on a graph (see Figure 4 and corresponding texts; Pooser).

As to claim 5, representations of a plurality of objects are displayed, and wherein at least one link between objects is depicted by a connector between the representations (column 9, lines 23 – 29; Pooser).

As to claim 6, a display attribute of the connector is determined by a property selected from the group consisting of the type of the linking object, the type of the link target, and the type of the link (column 9, lines 23 – 29; Pooser).

As to claim 7, a display attribute of the representation is determined by object metadata (see Figure 2, corresponding text for Figure 2 and column 4, lines 60 – 61; Shklar).

As to claim 8, determining link targets includes recursively determining targets of links of an expanded set of objects comprising the original search group and the objects linked to by the search group (column 4, lines 8 – 25; Shklar).

With respect to claims 10, 11 and 12, Pooser and Shklar teach the search objects substantially as claimed. Pooser and Shklar teach metadata and Shklar



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teaches court case data in the abstract, in Figures 10 and 11 and in column 7, line 26 – column 8, line 40.

Pooser and Shklar do not explicitly teach legal data, scientific or medical article or patent data as claimed.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modifying data to be legal data, scientific or medical article or patent since differences in type of data do not distinguish the invention in term of patentability.

See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability).

As to claim 13, annotating at least one of the search objects (column 5, lines 60 – 65; Pooser).

As to claim 14, at least a portion of the searched objects and link targets are classified into a plurality of groups, further comprising setting a display attribute for all members of a group (column 9, line 62 – column 10, line 14; Shklar).

As to claim 15, displayed representations are sorted on at least one axis according to a property of the objects represented (column 9, line 62 – column 10, line 14; Shklar).

***Allowable Subject Matter***

7. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Contact Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (571) 272-4030. The examiner can normally be reached on Monday-Thursday 8:00 A.M.- 4:00 P.M..

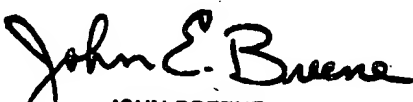
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shahid Al Alam  
Primary Examiner  
Art Unit 2162

30 April 2006



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